

# EXHIBIT 40

1966

# Super Heroes With Super Problems

by Nat Freedland

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Sunday Magazine  
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On the drawing board is a big oaktag sheet recording the Fantastic Four's last-ditch struggle to save Earth from being "drained of all basic elements" by the godlike villain Galactus. One picture shows cosmic force rays bombarding Manhattan. Stan Lee, chief writer-editor of Marvel Comics, tells production man Sol Brodsky, "It's not clear that the rays are hitting *new*." He thinks for a few seconds and then pencils in "ZIK, ZIK, ZIK" at the points of impact. No other comic book writer would have wasted that few seconds to think what cosmic force rays sound like. They would have just written "Pow" or "Zap" or some thing equally conventional.

Stan Lee, 43, is a native New Yorker, an ultra-Madison Avenue, rangy lookalike of Rex Harrison. He's got that horse jaw and humorous eyes, thinning but tasteful gray hair, the brightest-colored Ivy wardrobe in captivity and a deep suntan that comes from working every Tuesday, Thursday, Saturday and Sunday on his suburban terrace, cranking out three complete Marvel mags weekly.

He is also a good mimic and does a fine reproduction of that rolling, Continental voice we were hearing on the classic TV interviews back in October. That voice got on the phone to Marvel Comics at 625 Madison Avenue and said, "Hello, this is Federico Fellini. I like very much your comics. In one hour I come see you, yes?"

No, it wasn't a put-on. Somebody had shown Fellini a couple of Lee's Marvel masterpieces while the great Italian film director was racked out with virus at the Hotel Plerre. Fellini turned up at Stan Lee's office with a medium-sized entourage his first day out of sickbed. "He's my buddy now," says Lee. "He invited me to come to see him as his villa agent in Rome. I'm supposed to take him to the cartoonists' convention when he's back here for the *Sweet Charity* opening in January."

Stan Lee drew a bigger audience than President Eisenhower when he spoke last year at Bard, one of the hippest schools on the Eastern Seaboard. Co-ed dormitories! From the Ivy League to the Pacific Coast Conference, 125 campuses have their own chapter of the "Merry Marvel Marching Society." The M.M.M.S. is at Oxford and Cambridge, too.

Pre-college Marvel fans at times have taken to assembling on the corner of Madison and 58th Street, waving wildly with home-made signs whenever anybody appears at the second-floor windows of Marvel's three workrooms. "Like we were the Beatles or something," Lee muses.

In terms of the real world, all this adulation means that Marvel circulation has tripled in three and a half years. With an annual circulation of 35 million, Marvel (which puts out 17 super-type comic books) is now a comfortable number two in the comics industry, gradually edging up on the long-established Superman D. C. line. No other comic book publisher can show anything like

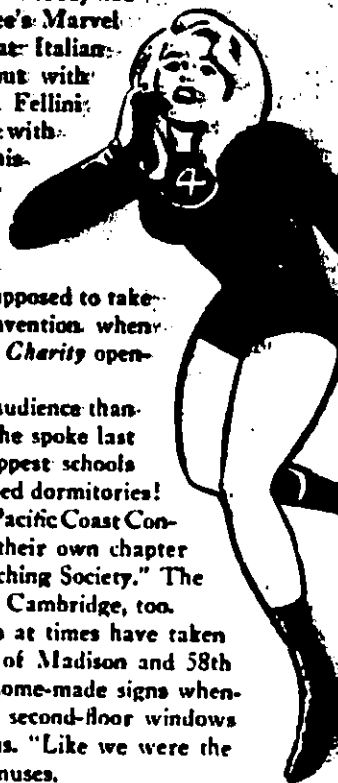


EXHIBIT 3  
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Marvel's phenomenal sales growth in the sixties, as secondary Marvel promotion strategy to blurring out Forty thousand. Marvelites have come up with a dollar for their Merry Marvel Marching Society kits. In the works are plastic models, games, a Spider-Man jazz record and a television cartoon series.

"We really never expected all this, you know," Lee admits. "I mean it started out as a gag, mostly. I just thought maybe it would be worth trying to upgrade the magazines a little bit. Audiences everywhere are getting hipper these days. Why not the comic book audience, too? And then all of a sudden we were getting 500 letters a day about what great satire these stories were, and how significant. We used to get about one letter a year... before."

Before Stan Lee dreamed up the "Marvel Age of Comics" in 1961. When Lee went to work for the comic book division of Martin Goodman's publishing outfit he was 17 years old. By 1961, he had been manufacturing comic strips at the same stand for 20 years. It was getting to be tiresome.

Nostalgia about old comic books is a large item now, what with Pop art and Camp riding high, but fond remembrance of childhood joys is one thing, and *actually reading* that stuff is something quite different. It's no accident most adults outgrew the comics of their day at puberty. The carefully selected samples in Jules Feiffer's *Great Comic Book Heroes* anthology give pleasure because they are perfect examples of their form. But as the same old tired stories and stiff drawings were trotted out year after year, they couldn't keep up the pace. "Have some punch," Batman would quip as he decked a bad guy; idiot puns were the height of old comic book humor. "What th'?" and "Huh" were as expressive as Captain Marvel ever got. Superboy, on returning from a recent adventure in the ancient past, said, "Bye now, Hercules and Samson." This is hardly an example of super-conversation, points out John Butterworth, Class of '64, in his Colgate *Maroon* study.

"Spider-Man strives for Status in Competitive Comic Book World of Insincere Super Heroes."

Comic book super beings had mighty powers but no personality—not until Stan Lee tried out the Fantastic Four in October, 1961.

The whole new tone of Lee's vision to bring human reality into comic books was set in an early F.F. appearance. (All Marvel characters quickly pick up affectionate nicknames.) This super crime-fighting team was evicted from their Manhattan skyscraper HQ because they couldn't get up the rent. The stock market investments that paid their laboratory bills had temporarily failed.

The Fantastic Four, who appear in their own comic book and guest star in other Marvel publications, are beset as much by interpersonal conflicts as by super villains. Invisible Girl, Sue Storm Richards, is always bugging hubby Reed Richards, Mr. Fantastic, to leave off with the world-shaking inventions already and take her out to a discotheque. One sometimes wonders how much the phallic implication of Mr. Fantastic's body-stretching power has to do with holding this stormy couple together. Sue's kid brother, Johnny, is the Human Torch. He flames, flies—and swings off-duty in a Corvette Stingray. The grumpiest, most complex, most ambivalent and most popular member of the Fantastic Four is the Thing. "Rashful, blue-eyed Benjamin J. Grimm," as the Thing likes to refer to himself in more lyrical moments, usually just before issuing his clarion cry, "It's Clobberin' Time," has actually deserted to the side of the villains on occasion.





Lee calls Ben Grimm "a tragic monster who cheers himself up by acting the clown... a good man with a bitter heart." The Thing talks like Jimmy Durante and has

good reason to be bitter. A moon-rocket mishap with cosmic rays gave the rest of the F.F. super powers that can be turned on and off at will. But it left him looking like a human-shaped rock formation "covered with broken pieces of orange-colored flowerpots," an apt description from Jennifer Stone's Hunter College *Memoirs* analysis, "Hark, the Hulk Hurles into Your Heart."

The Fantastic Four rapidly became one of the hottest things in comic books, and Lee followed up with the most off-beat character he could think of: his masterpiece Spider-Man.

Spider-Man is the Raskolnikov of the funnies, a worthy rival to Bellow's Herzog for the Neurotic Hipsters' Champships of our times. "If Charlie Brown wore a skintight costume and fought crime, he would be Spider-Man," concludes John Butterworth in the *Colgate Magazine*. According to Sally Kempton in the *Playboy*, "Spider-Man has a terrible identity problem, a marked inferiority complex, and a fear of women. He is anti-social, castrated, ridden, racked with Oedipal guilt, and accident prone." In short, "the super-anti-hero of our time."

The saga of your friendly neighborhood Spider-Man began when orphan Peter Parker, a brilliant but friendless high schooler from Forest Hills, Queens, got accidentally bitten by a radioactive spider at a science fair. This made him the equal of a gigantic spider in Speed, Agility, Climbing Prowess, Strength to Body-Mass Ratio and Sixth Sense. He also invented a web-shooting wrist apparatus as an extra aid.

Peter immediately sewed himself a disguise costume so as to avoid shocking kindly old Uncle Ben and Aunt May, and then he went into show biz. His super acrobatics got him instant television stardom. But this triumph, like most of Spider-Man's brief tastes of victory, soon turned to ashes.

To keep his secret identity a secret, he had to accept a paycheck made out to Spider-Man... The TV producers insisted he couldn't give out cash because of the tax records. So Spider-Man went to a bank and...

Bank Clerk: I'll have to see some identification!

Spider-Man: What about my COSTUME?

Bank Clerk: Don't be silly! ANYONE can wear a costume! Do you have a social security card, or a driver's license in the name of Spider-Man?

Wandering off in a blue funk, Spider-Man just shrugged unconcernedly as a burglar ran by. When he got back home to (a regrettably unauthentic rural-looking) Forest Hills, of course it turned out that the burglar had just murdered Uncle Ben.

Spider-Man duly vowed to be more public-spirited in the future. But now he *really* had money problems. Aunt May would not hear of his quitting school. But how could he support the household with a part-time job and still find time to catch crooks? He tried to solve everything by going on salary with the Fantastic Four. (All Lee's characters are located around New York and tend to run into each other on the job.) But the F.F. wanted to keep their non-profit foundation status and turned him down. "You came to the wrong place, pal," said the Thing unsympathetically. "This ain't General Motors."

At the moment, Peter Parker has a science scholarship.

to State College and supplements it by firing off news photos. His specialty is delayed-action pix of his spider self in combat. It's not much money—Peter Parker is a lousy businessman—but at least it picks up the tab for Aunt May's many hospitalizations.

The Hulk is the most unstable character in the history of comic books. At first, scientist Bruce Banner and the jolly green monster had a gamma-ray induced Jekyll-Hyde co-tenancy. But now the Hulk is in permanent possession, having absorbed some of Banner's I.Q. but none of his peaceable ways. Hulky will bash anything that gets in his way—including Marvel's other super heroes and the U. S. or Soviet Armed Forces.

Thor, the Norse thundergod, recently had to take an elevator to the top of a midtown skyscraper before he could fly off to Asia to stop a rampaging super witch-doctor—because a cop wouldn't let Thor whirl his magic hammer on a crowded street. A woman in the elevator looked up at Thor's shoulder-length blond curls and mused, "That REMINDS me—I'm due for a PERMANENT at noon."

Practically every costumed hero in Lee's new Marvel Comics mythology displaces enough symbolic weight to become grist for an English Lit. Ph.D. thesis.

The unrelentingly tragic Iron Man usually has to shlep home his transistor-powered armor for recharging after a fight. Since his heart (chewed up by Viet Cong bullets) is also transistorized, this tends to become a tricky business. Daredevil, revival of a famous comic book name, is now the world's only blind masked hero. He struggles through with his indomitable will and "radar senses" acquired by getting run over with a truckful of uranium. Equally indomitable is the unshaven, cigar-chomping Nick Fury, who functions simultaneously in *Sgt. Fury and his Howling Commandos*, and *Nick Fury, Agent of S.H.I.E.L.D.* A black eye-patch distinguishes the post-war Fury from his military self.

However, Captain America, that fighting hero of World War II, comes on more like Captain Anomie these days. Returning to action in 1963, after 18 years of suspended animation in an iceberg, he does more brooding over his destiny than any Captain since Ahab. "The TIME I live in belongs to others. . . . The only thing that's rightfully mine is my PAST. Can I ever forget BUCKY, the teenager who was like a brother to me? What has become of SGT. DUFFY?"

Lee always provides full backstage credits for these epics:

Bombastically Written by . . . Stan Lee  
Brilliantly Drawn by . . . Jack Kirby  
Beautifully Inked by . . . Vince Colletta  
Bashfully Lettered by . . . Artie Simek

He has to. No detail of the month's output is too minor for Marvelites to single out for praise in the letters pages . . .



"The art was great, especially page 5, which was a perfect rendition of the beam's effect."

No error is too minor for complaint...

"...and Cap' had an 'A' where his star should have been on his chest."

Young dreams of romance appear often in these pages...

"Please don't make Sub-Mariner lose his dignity. He reminds me of 'The Sheik'... If Sue and the Scarlet Witch don't want him, I do."

Contemporary problems may also break in...

"Could you maybe publish a letter to parents or something? I'm tired of getting static from my mother about how ridiculous it looks for a Rice U. sophomore to stand in front of a drugstore haggling with an eight-year-old kid over the last copy of *F.F.* or *Avengers*. (I got them, but it cost me 30 cents and I had to let him read them first!)"

"It's ruining my eyes," says Lee about the avalanche of mail. "I never wore glasses before this thing started." He tries to read as many of the letters as possible. "That's the kids telling us what they want." His private life has also been somewhat curtailed by the demands of success. "I take my wife out to dinner with friends three or four times a week. That keeps her reasonably happy, even though I'm working every day and haven't been able to take a vacation in three years." The chic blonde Mrs. Lee is a former British model. Daughter Joanie, 15, is a talented artist, but not particularly excited about comic books.

Princeton University's Merry Marvel Marching Society sent up a delegation to meet the master the other day. Fabulous Flo Steinberg, the secretarial star of Marvel Bullpen Bulletin gossip notes, ushered the group into the Presence. "Here I am fellows," said Lee. "I guess it's a pretty big disappointment, huh?"

They assured him it wasn't.

Don't tell me what you like about the books," Lee requested. "It's more help if you tell me what you don't like."

"There's a schism in the cult over Spidey's personal life," said one. "Factions are forming about all the play. Peter Parker's adjustment problems are getting lately."

Lee hastened to explain. "I don't plot Spider-Man any more. Steve Ditko, the artist, has been doing the stories. I guess I'll leave him alone until sales start to slip. Since Spidey got so popular, Ditko thinks he's the genius of the world. We were arguing so much over plot lines I told him to start making up his own stories. He won't let anybody else ink his drawings either. He just drops off the finished pages with notes at the margins and I fill in the dialogue. I never know what he'll come up with next, but it's interesting to work that way."

Actually, Lee hardly ever writes out a standard picture-by-picture script any more. (He recently hired three assistant writers, after 200 applicants flunked a sample Fantastic Four assignment. But he doesn't think the boys are ready yet for anything more demanding than Millie the Model and Kid Cult.)

Lee arrives at his plots in sort of ESP sessions with the artists. He inserts the dialogue after the picture layout comes in. Here he is in action at his weekly Friday morning summit meeting with Jack "King" Kirby, a veteran comic book artist, a man who created many of the visions of your childhood and mine. The King is a middle-aged man with baggy eyes and a baggy Robert Hall-ish suit. He is sucking a huge green cigar and if you stood next to him on the





subway you would pay him for the assistant foreman in a girdle factory.

"The Silver Surfer has been somewhere out in space since he helped the FFF stop Galactus from destroying Earth," begins Lee. "Why don't we bring him back?"

"Ummh," says Kirby.

"Suppose Alicia, the Thing's blind girl friend, is in some kind of trouble. And the Silver Surfer comes to help her?" Lee starts pacing and gesturing as he gets warmed up.

"I see," says Kirby. He has kind of

a high-pitched voice.

"But the Thing sees them together and he misunderstands! So he starts a big fight with the Silver Surfer! And meanwhile, the Fantastic Four is in lots of trouble! Doctor Doom has caught them again and they need the Thing's help! Lee is furching around and throwing punches now."

"Right," says Kirby.

"The Thing finally beats the Silver Surfer! But then Alicia makes him realize he's made a terrible mistake. This is what the Thing has always feared more than anything else: that he would lose control and really clobber somebody!"

Kirby nods.

"The Thing is brokenhearted. He wanders off by himself. He's too ashamed to face Alicia or go back home to the Fantastic Four. He doesn't realize how he's failing for the second time... How much the F.F. loves him! Lee says back on his desk, limp and spent."

Kirby has leaped out of the chair; he was crumpled in. "Great, Great!" The cigar is out of his mouth and his baggy eyes are aglow. His high voice is young with enthusiasm.

Here's the esprit that makes this the Marvel Age of Comics. You can bet Stan Lee hasn't lost the touch that won him three first prizes in the *Herald Tribune's* "Biggest News of the Week" teen contest back at old DeWitt Clinton H.S.

